after 1901, and what right the City Com-

It its officers, agents, servants or employes, the recovery of any penalty or fine, or of any omission or refusal by said Citizens' street-railroad Company of Indianapolis, or any of its said officers, agents, servants rated. and employes, to observe the requirements of the said act of the General Assembly of the State of Indiana, or with the object or purpose of compelling said company, its officers, agents, servants and employes to conform to, or observe the requirements of

"And that the defendant, Charles S. Viltsle, and each and all of his deputies. agents, servants and employes be, and they are hereby restrained and enjoined, until such further order of the court, from insti-tuting, or in any way aiding or participat-ing in the institution or prosecution of any actions or proceedings, either civil or crim-inal in their nature, against said Citizens' Street-railroad Company of Indianapolis, or apolis, or for refusing or neglecting to transfer passengers who have only paid, or offered to pay, a cash fare of 3 cents, from one line to another of the street railways of said company, or for refusing or neglecting to the transfer passengers who have only paid, or offered to pay, a cash fare of 3 cents, from one line to another of the street railways of said company, or for refusing or neglecting to the matter of populousness in cities is suggested in the limitation of the street railways of said company to the declines to obey it. In the Reagan case above cited, the same argument could have been used, yet there the preliminary injunction was issued. So, also, in Lottery company vs. Fitzpatrick, wherein is discussed at length the question whether or to pay, a cash fare of only 3 cents transfer tickets or passes entitling such passengers to be transferred from one line to another of said street railways; and from in any way molesting or disturbing said Citizens' Street-railroad Company of Indianapolis, its officers, agents, servants and employes n the right to charge, receive and collect street railway a cash fare of 5 cents, in all cases in which, except for the requirements of said act of the General Assembly of the State of Indiana, it would be rightful for said company, its officers, agents, servants and employes, to charge, receive and collect a cash fare of 5 cents; or for refusing to transfer such passengers from one line to another of its street railways where a cash fare of 5 cents has not been paid, in

"And said defendants, Citizens' Streetrailroad Company of Indianapolis, the City
of Indianapolis and Charles S. Wiltsie, and
each and all of their officers, deputies,
agents, servants and employes, and all persons acting by or under the direction and
control of them or any of them, are strictly
charged commanded and enjoined to de-

ing attorney of the Nineteenth judicial circuit of the State of Indiana, at the time oblects and excepts and asks that his exceptions be spread of record, which is now

To which ruling, order and decree the de-fendant the city of Indianapolis, at the time objects and excepts and asks that her (its) exceptions may be spread of record, which s now accordingly done It being agreed that the foregoing order conforms to the opinion of Judge Showalter, the clerk is directed to enter the same W. A. WOODS. This order conforms to the opinion of the

Attorney for the City of Indianapolis. The State of Indiana denies the jurisdic tion of the Circuit Court of the United ecuting attorneys of the State or over the subject matter of an injunction against him in his official capacity and therefore declines to consent to the entry of the within order, but is of the opinion that the order follows necessarily from the opinion of Judge Showalter on file and is in conformity therewith.

WILLIAM A. KETCHAM, Attorney General of Indiana.

JUDGE SHOWALTER'S OPINION. Full Text of the Document-Hinges on the State Constitution.

The full text of the opinion of Judge Showalter is as follows: ction. Complainant a New York cororation, is mortgagee to the extent of some \$3,000,000 in bonds of all the property of defendant, the Citizens' Street-railroad any, an Indiana corporation operating city of Indianapolis. Defendant Wiltsie is the prosecuting attorney for that district of Indiana, which includes the city of Indianapolis. Defendant railroad company was organized under the general incorporation law of Indiana, first enacted in 861 and entitled 'An act to provide for the It succeeded by purchase to the railroad roperty and rights in the streets of Inanapolis, acquired pursuant to certain dinances of that city, of a former company organized under the same act for the rpose of constructing, operating, owning and maintaining a railway in certain streets of Indianapolis. Section 9 of the

neral incorporation law above mentioned s in words following: The directors of such company shall have power to make by-laws for the manent and disposition of stock, property tent with the laws of this State: to prescribe the duties of officers, artificers and servants that may be employed; for the appointment of all officers for carrying on all business within the objects and puroses of such company, and for regulating

the running time, fare, etc., of such road (Here the 3-cent-fare law is quoted.)

CONTENTION OF THE PLAINTIFF. charter of the defendant corporation; that ion of Indiana, be amended by any enactment which is special to any particular street-railroad corporation or to any particular community or locality in Indiana; overation to the city of Indianapolis and to the defendant railroad corporation and to other street-railroad corporations now or the scheme as proposed in said amendment be carried into effect complainant, which mortgagee of the railroad property of defendant corporation in Indianapolis to the extent of some \$3,000,000 of outstanding will be irremediably injured in its security; that by the amendment of 1897 the State of Indiana would violate its engagement to the defendant railroad company as expressed in the general law for the incorporation of street-railroad companiesand this in contravention of the national Constitution, which declares that no state shall pass any 'law impairing the obligation of contracts.' On this latter ground, as well as by reason of the nonresidence of plainant, the controversy, it is said,

falls within the judicial power of the Section 22 of Article 4 of the Constitution of Indiana provides that, except in references to certain stated matters, 'the General Assembly shall not pass local or special laws.' Section 23 of the same articie is: 'In all cases enumerated in the preceding section and in all other cases where general law can be made applicable all laws shall be general and of uniform operation throughout the State.' By Section 13 of Article II of the Constitution of Indiana t is declared that 'corporations, other than banking, shall not be created by special act, but may be formed under gen-

Legislature of Indiana whereby that body might, as the basis of a special law for the ormation of street-railroad corporations. declare that a law for that purpose which general and uniform in operation ghout the State-that is, which is aptherever such conditions may exist in the State-could not 'be made applicable.' The question here is whether or not the amendment of 1897 is a 'general law' within the sense of Section 13, of Article 11, of the Constitution of Indiana. This amendment provides 'that in cities in this State having population of 160,000 or more, according to the United States census of 1890, the cash are shall not exceed 3 cents,' etc. There is out one city in Indiana which answers this cription, namely, the city of Indianapo-No matter how many cities there might be now or may be hereafter in Indiana containing populations respectively of 100,000 or more, the act in question could never apply to any other than the city of Indianapolis. "The permanency of the law and its apication to conditions as they arise, and not merely its actual present scope, is to be considered in applying constitutional tests. The question here is the same as it would e if in fact there had been in Indiana at east two cities each containing 100,000 inhabitants, and the act in question had been expressly limited in its operation to one, leaving the street-car service of the other and of the remaining cit es of the State, subet to the old law. Could it be said, on the ypothesis last made, that such a law touching the incorporation of street-railform operation throughout the State? Under the amendment of 1897 the field is open les even in one city identified in that

porate organization is granted, as well as the bare privilege of becoming incorpo-

THEORY OF CORPORATIONS. "A corporation is not formed until its functions of business, as well as the mere right to be a corporation, are identified under the law. To make a corporation the Legislature must declare not only that certain persons may be incorporated, but that of a single locality in a business which is not local, whereby one set of statutes would apply in one place and another to a like business in a different place, is not within the organic law of Indiana. What may be called intramural passenger traffic amendment of 1897. But the limitation of the preliminary injunction should is the one census—that of 1899—defeats the classification. The vice of the amendment of the amendment of 1897 be presented on is that it puts street-car service in one city under one set of conditions and sanctions while the same business in other cities of

servants and employes, to charge, receive and collect a cash fare of 5 cents; or for refusing to transfer such passengers from one line to another of its street railways where a cash fare of 5 cents has not been paid, in all cases in which, except for the provisions of said act, such cash fare of 5 cents is rightfully collectible.

"And sold defendants Citizens" Street and of uniform operation throughout the State by providing: "That all cities of this State which had a population of more than 100,000 inhabitants, as shown by the ance of the first section and the other 134 sections of the act, all of which are as expressly confined in their operation to the city of Indianapolis by the part of Section 1 above quoted as if the city of Indianapolis had been named as the only place where said act was even to have charged, commanded and enjoined to desist and refrain henceforth until the further order of the court, from in any way acting under and in obedience to, or putting in execution any of the provisions of said act of the General Assembly of the State of Indiana, in so far as such provisions in any way relate to or affect said Citizens' Street-railroad Company of Indianapolis or any of its property, rights, prvileges and franchises, or any of its officers, agents, sections of the act, all of which are as sections of the act, all of which are as sections of the act, all of which are as sections of the act, all of which are as sections of the act, all of which are as sections of the act, all of which are as sections of the act, all of which are as sections of the church at the court in the court in the case of Indianapolis had been named as the only place where said act was ever to have any way relate to or affect said Citizens' Street-railroad Company of Indianapolis or any of its property, rights, prvileges and franchises, or any of its officers, agents, sections of the city of Indianapolis by the part of Section 1 above quoted as if the city of Indianapolis by the part of Indianapolis had been named as the only place where said act was ever to have any way relate to or affect said Citizens' This to be noted that the act is confined to cities which had a population of more than 100,000 inhabitants, as shown franchises, or any of its officers, agents, section 1 above quoted as if the city of Indianapolis in the statute books of Indiana is invalid for the same reason." He quoted a decision of the statute books of Indiana is invalid for the same reason." He quoted a decision of the statute books of Indiana is invalid for the same reason." When the case of Indianapolis in this landary is property, rights, prvileges and for the city of Indianapolis in the statute books of Indianapolis had been named as the only of the State Supreme Court in the case of Miller, treasurer, against the State upon the city of Indianapolis, city in the State at the passage of the act that the last census report showed had more than 100,000 inhabitants. And, matter how many cities in the State might, by subsequent increase of population, exceed in number the 100,000 mark, still the act could not apply to them, because Indianapolis alone had a population of over 100,000 by the last United States census at the time of passage of the act. " 'Hence the legislative intent is made clear and undoubted that the act was designed never to have any effect or operation anywhere in the State outside of the city of Indianapolis, while it purports to be a general act. And yet no one can entertain a reasonable doubt of the constitutionality of the act, not because it purports to be general, but because it is on a subject on which the applicability of a general law has been left by the Consti-

tution to the exclusive judgment of the Legislature on inquiry into the facts. MUNICIPAL CORPORATIONS "By the last paragraph above quoted the Supreme Court of Indiana apparently Article 11. The language of that section, to quote it once more, is: 'Corporations other than banking shall not be created by special act, but may be formed under general laws.' The specification 'other than Company vs. Harless et al., 131 Ind., 452, the Supreme Court ruled in effect that a law conferring additional powers on corand of uniform operation. That court has also ruled that the question whether or general law can be made plicable' when it arises under Section 23 of Article 4, quoted above in this opinion, is conclusively determined by the Legislature. The sense of these holdings, I take it, is that the question whether or not 'a general law can be made applicable' never can arise when the subject matter of legislation is a law for the formation of corporations within Section 13 of Article 11. This latter section is itself an express declaration by the people of Indiana in their organic law that 'corporations other than banking may be formed under general laws'and there is no discretion on the subject either in the Legislature or the court. To hold that the Legislature may-as under Section 23 of Article 4-declare that 'corporations other than banking' cannot be formed under general laws' would be to annul Section 13 of Article 11 of the Constitution of Indiana. The members of the

Legislature themselves in the amendment of 1897 evidently did not deem it in their power to make a special law. By obvious nadvertence the attempted classification was wrongly worded. If it be the law of Indiana that the Legislature has this power, then individual charters to individual corporations may once more be granted at Section 13 of Article 11 was meant more specially to prevent.
"The language is that 'corporations (in the plural) shall not be created by special act'-meaning to prevent any special act, though any combination of persons to the statutory number might become incorporated thereunder. The inhibition is not merely against individual charters to individual corporations, but against any act which is special as distinguished from one which, with reference to the business to be done by corrate. But, however this may be, the reservation by Section II of the act of 1861 is of power to amend 'this act.' "The old statute, with the amendment, must, if the amendment be valid, be now assumption of validity, it constitutes the

read as a whole. So understood and on the gers over the streets of that city; that if law of Indiana for the incorporation of the entire law would be cities other than Indianapolis. be special and local, because it could not apply to the city of Indianapolis; as concerns Indianapolis, it would be special and local, because it could have no operation upon street-railroad business in any other city in the State at any time. If such a statute had been originally enacted, | would as a whole, it would have been in conflict with the Constitution. The Legislature cannot first make a law which is in reality general and of uniform operation and afterward amend it so that by force of the amendment it ceases to be general and of uniform operation. The Legislature can make no amendment which. If put statute originally, would have invalidated the whole. Following the pronouncement of the Supreme Court of Indiana, in Mode et al. vs. Beasley et al. my opinion is that the amendment of 1897 is unconstitutional and void-it is not an amendment within the reservation of the eleventh section of the

"I may here add that the words of classification in Section 5454 of the revision of 1894 are not the same as the words used in the amendment here in question, nor as the words used in the statute commented on in the quotation from Mode et al. vs. Beasley et al., while Sections 5477, 5478 and 5479 are restricted on the powers of municipal corporations. It occurs to me to suggest also that while the words which follow the last semi-colon in Section 9, as amended in 1897. as the state Constitution provide against any law impairing the obligation of contracts, the Legislature could hardly authorize the city, by either a general or a special law, to break its contract with the

railroad company.

THE STATE'S CONTENTION. "Counsel urge that this bill does not show erty right, the remedy in chancery is available. Reagan vs. Farmers' Loan and Trust Company, 154 U. S., 362, and State Lottery Company vs. Fltzpatrick, 3 Woods's Reports, 222, in each of which apprehended the point. Even in the case of Sawyer, 124 U. S., 200, cited by the attorney general, the rule as here stated is plainly recognized, nor do I find it disputed in any case. "It is also contended that this suit cannot be maintained because the State is, in effect, a party defendant, and under the steps to settle the muddle until all the eleventh amendment to the national Consti-

insisted on in the Constitution as essential | for in this bill as against defendants Wiltto a law for the formation of corporations | sie and the city of Indianapolis. But under must apply to the business for which cor- the rulings of the Supreme Court of the United States in Pennoyer vs. McCon-naughy, 140 U. S. 1, and Reagan vs. Farmers' Loan and Trust Company, supra, this is not a suit against the State of Indiana within the sense of the eleventh amend-ment, nor does it fall within the terms of

"It seems to me, on principle, as well as on the very distinct authority of Reagan vs. Farmers' Loan and Trust Company—a case which parallels this in nearly every aspect-and State Lottery Company vs. in the corporate capacity they may do something-carry on some specified busi- within the judicial power of the United ness. A classification which is germane to for defendants insist that at all events a They say if the defendant railroad company will obey the law and reduce its fares to will be inconsiderable, or nothing. But suppose the alleged law to be invalid, and any subsequent hearing more distinctly "My opinion is that where proceedings in

while the same business in other cities of the State, no matter how poulous they are or may become, must be carried on under another.

"In Mode et al. vs. Beasley et al. (decided in 1895), 143 Ind., 312, the Supreme Court of Indiana said:

"Nearly every Legislature, if not every one, from that time (1868) to the present has been passing acts that were strictly local under titles and enacting clauses purporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation throughout the State. A consider the case made by this bill until the Supreme Court of Indiana has proporting to make them general in their operation. It is ordered that the injunction issue as prayed."

It is effect would be on other laws. From the feffect destructive of a vested property right are threatened by a defendant in official position under color of a void statute, the supreme color of a void statute, the are threatened by a defendant in official what he had heard he presumed the 3-cent law was held unconstitutional because it was local and special in its operation. "The question as to the constitutionality of an act classifying cities by population, as shown by a fixed census, has been frequently raised, said Mr. Taylor. "I raised the question as city attorney in 1889, when the first operation are consistent or the pre issue as prayed."

ATTORNEY GENERAL'S VIEW.

Are Worthless.

the court lacked jurisdiction in the case. "If the doctrine laid down by Judge Showalter interpreting the Constitution of Indianapolis School Board exists applied to population of 100,000 or more by the last United States census." In answer to this the attorney general read the following from the decision of the State Supreme Court in the case of Mode et al. vs. Beasly et al., 143 Ind., Page 312: "It is to be noted that the act is fined to cities which had a population of more than 100,000 inhabitants as shown by the last preceding United States census. This and all courts in the State judicially know and the Legislature knew that the city of indianapolis was the only city in the last census report showed had more than cities in the State might by subseincrease of population exceed in

alone had a population of over 100,000 by the last United States cenzas at the time of the passage of the act. "Hence the legislative intent is signed never to have any effect or operation anywhere in the State outside of the city of indianapolis, while it purports to be a general act. And yet no one can entertain a reasonable doubt of the constituticnality of the act, not because it purports to be general, but because it is on a subject on which the applicability of a general law has been left by the Constitution to on inquiry into the facts.

number the 100,000 mark, still the law could

not apply to them because Indianapolis

the exclusive judgment of the Legislature continued the attorney general, if the doctrine laid down by Judge Showalter is good and this description of the city charter by the Supreme Court is good the charter would have to fall."

MARION COUNTY SENATORS.

Expressions of Messrs. Hugg, New and

Hawkins on the Subject. In speaking of the decision Senator Hugg. the author of the law, said that the idea of a 3-cent-fare had been used by the Streetrailroad Company as its main argument to defeat the New bill. He said he knew the people were desirous of having reduced fares, and he believed it his duty to obtain Showalter would lie against the Evansville street-railway law of 1891 and the Metropolleasure by that body-but this is what I itan police law. He said that the New law benefits of lower fares, and he did not believe the agitation would cease until they The question of lower fares, he said. the contract with the Citizens' Street-railroad Company expires, for Judge Showalter holds that the three-cent car-tare law imtract with the city. He, for his part, intended to assist in getting the rights of the people and that the company using the streets of the city after 1901 should operate under a contract fair and just to Senator New was quoted in an afternoon

"The 3-cent-fare lil of fight that the Cit Street-railroad Company put up att it the New bill. / sinally to cure the passage of s cure to the pany any just claim it possessed under its charter for the full period for which that charter extended-this was, in my opinion, up to 1901. I wanted a bill that, at the expiration of the company's charter, would place the city in a position to secure that to which it was justly entitled. If the decision of Judge Showalter means that the New bill is unconstitutional or of doubtful validity because it applies to cities of a certain population, I shall certainly endeavor to see that a law is passed by the next Legislature, of which I am a member, to which no such objection can be had. If the know it, for the best legal talent that can be obtained will be asked to look at it, and if it is found to be ineffective, we shall try to prepare a bill that will stick. If I should succeed in the next session of the Legislature, I will be a candidate for reelection on that one issue, and I shall stick to it until the work is accomplished and the

Senator R. O. Hawkins said, in speaking of Judge Showalter's decision, that, if the law were unconstitutional for the reason that it applied to only the city of Indianapolis, on account of the clause limiting the application of the law to cities having a population of 100,000 according to the census of 1890, there were many important laws which are unconstitutional. "If that is the law, then the whole school system Indianapolis has no existence in law.' The School Board was organizen under an act of March 3, 1870, and it provides for the election of such commisoners in cities having a population of over | ron, O.; F. N. Kondolf, Rochester, N. 30.000, according to the census of 1870. The law applied only to Indianapolis then and still can apply only to Indianapolis. such a clause as the one objected to means special legislation, then there are \$350,000 worth of worthless bonds which were floated by Allen county for the purpose of many laws being enforced which are based pon this idea of population which must

fall with the three-cent-fare bill." MAYOR AND CITY ATTORNEY.

City Must Wait Until the Courts Decide Various Other Points. Mayor Taggart said that he supposed an appeal would be taken from the decision of Judge Showalter. "I suppose that this decision carries with it the New law," said the mayor. "I do not see how the city can

Meanwhile, the mayor said that he sup-posed the city would have to be content. City Attorney Curtis said that in the absence of John W. Kern, special counsel for the city in the street-car litigation, he did

to decide what steps shall be next taken. He said that the order was only a temporary one, and subject to modification. Mr. Curtis referred to the fact that Judge Showalter seemed to have based his decision, among other things, on the impairment of the contract with the company, although he had interrupted Mr. Kern in the course of his argument on this point with the suggestion that it need not be considered, Mr. Curtis at the time regarded this as an important question, and said that he had no doubt further consideration of this point would be asked. The police power of the State to make a fare regulation was not considered by the court in the argument, and it may also be considered before the final argument for a permanent injunction.

PHRASING OF OTHER LAWS.

W. L. Taylor Reviews Those Applying to the City of Indianapolis.

W. L. Taylor, for a long time city attorney, had not read the opinion of Judge its effect would be on other laws. From

in the case of the Board of Public Works, created by the same Legislature, but the Supreme Court struck down both of those If This Is Good Law Numerous Laws laws on the ground that the State was in-Attorney General Ketcham said that in his view the decision was no decision, for did not pass upon this question of classification. The Supreme Courts of Ohio, Pennsylvania and Illinois had already

"The present city charter uses the lan-guage, 'the last preceding United States census.' The amendments to the city char-The 3-cent-fare bill classifies Indianapolis according to the United States census of 1890.' All of the park amendments classify Indianapolis 'according to the last preceding United States census. "Local laws are not wholly prohibited

They are prohibited absolutely in seventeen enumerated cases. The Constitution contains an additional sort of basket clause and prohibits them in all other cases where a general law can be made applicable. But the Supreme Court has decided that the Legislature is the sole judge of this question, and so, practically, we have bue seventeen prohibited subjects of special legislasystem was established, classifies Indianapolis 'according to the United States census for the year 1870.' The library act of 1891 singles out Indianapolis in like manner. The Manual Training School act of 1891 refers to Indianapolis as having 'a population of one hundred thousand or over as shown by any census taken by lawful authority.' The school taxation law of 1885 classifies Indianapolis as 'containing a population of over seventy thousand, as shown by the last census of the United States.' "The law establishing the department of public parks in 1895 uses the language, 'as shown by the last preceding United States census.' Thus it will be seen that vey few acts have been passed that have attempted to classify Indianapolis according to her population as shown in any particular census, so as to prevent any other city from ever growing into that class. The original school law is one of them. Laws respecting taxation, and laws respecting the suppor teen kinds of local laws specifically forbidden by the Constitution. I take it, howstricken down, because of the irreparable injury that would result therefrom. This doctrine is already established by our Supreme Court in the late apportionment

RECOGNIZED RIGHT AWAY.

People Gave the Corporation a Lesson in Obedience to Law.

Early yesterday afternoon the street-car company had printed and posted in its cars large placards with the words, "Fare 5 Cents, by order of the United States Circuit Court," in conspicuous lettering. The cards were in the front end of the car over the door that leads to the motorman's though they were ordered not to eject passengers who insisted on riding for 3 cents, Beginning with this morning every pas senger will have to pay the old fare or be

About ninety-nine persons out of every hundred paid the fare demanded yesterday public" seemed bent on giving a "law-abiding corporation" a lesson in obeying the no matter how distasteful it might be after enjoying the privilege of cheap fares for a few days. If any of the employes of the road had trouble with passengers nothing was heard of it.

placards announcing that the corporation is ahead in the fight at present, passengers cars, enjoining the street-car company, the city and state officials from enforcing the

Council and Three-Cent Fares.

Some of the councilmen have been disthe contract between the company and the city provides that "the fare shall not exthe maximum fare, not the minimum, that may be charged, and argue that as the contract was amended once it might be again. can charge 25 cents fare "after 11:30 o'clock at night." Attorneys say the Council has cannot be modified without the consent of it is said, were procured at the instance of the company itself. The amended section quoted answers the question often asked; By what right does the company charge 10 cents fare on the owl cars?"

Another Suit Filed. Judge Showalter's opinion in the streetrailway litigation has not had the effect of stopping suits against the company. Yesterday the complaint of Elmer E. Dill, who claims be was ejected from a College-avenue car was filed in the Superior Court. Dill tendered a 3-cent fare April 15, but the conductor refused to accept the same and put him off the car. The plaintiff says he boarded another car and was compelled to pay 5 cents before he could reach his desti-

The Sewer-Pipe "Combine." CLEVELAND, April 23.-The sewer-pipe manufacturers completed to-day the formation of their national association. A big company has been incorporated under the laws of Ohio, with a capital stock of \$7 .-Forty-four factories are embraced and the name of the corporation is the Central Union Sewer-pipe Company. Directors were elected as follows: J. M. Cooper. Uhrichsville, O.; Charles O'Connor, Lock-haven, N. Y.; R. W. Robinson, Akron, O.; W. B. Goucher, Toronto, O.; D. E. Hill, Ak-H. A. Robinson, Akron, O.; E. H. Gibbs. Akron, O.; Alfred Lyth, Buffalo, N. Y. Mr. Cooper is temporary president and B. W. Robinson temporary secretary.

Alleged Bucket Shops Raided. NEW YORK, April 23 .- The police of this city to-day raided the offices of the following New-street firms on the allegation that they were conducting their business illegally: The Standard Stock and Petroleum Exchange, the Manhattan Grain and Stock Company and Woodruff & Co., commission merchants. The alleged "bucket shops' all transact a considerable amount of busi-

ness, dealing chiefly with small customers. A Resurrected Man in a Rage. SIMCOE, Ont., April 23.-The man hypnotized and buried in the ground for three days has been disinterred. Great crowds followed the box containing the body to brought back to a normal condition he was rapidly, more suddenly. A reign of terror very restless and finally smashed the box | set in. ndment. But the generality and unithat Section 720 of the Revised Statutes of the United States inhibits the relief prayed of the United States inhibits the relief prayed of the Customary will have was fully restored to consciousness. formity of operation under like conditions the United States inhibits the relief prayed Citizens' Street-railroad Company-will have was fully restored to consciousness.

Drs. Maybe and Mustbe.

You choose the old doctor before the young one. Why? Because you don't want to entrust your life in inexperienced hands. True, the young doctor may be experienced. But the old doctor must be. You take no chances with Dr. Maybe, when Dr. Mustbe is in reach. Same with medicines as with medicine makers—the long-tried remedy has your confidence. You prefer experience to experiment—when you are concerned. The new remedy may be good -- but let somebody else prove it. The old remedy must be good—judged on its record of cures. Just one more reason for choosing AYER'S Sarsaparilla in preference to any other. It has been the standard household Sarsaparilla for half a century. Its record inspires confidence - 50 years of cures. If others may be good, Ayer's Sarsaparilla must be. You take no chances when you take AYER'S Sarsaparilla.

> Still have doubts? Send for the "Curebook." It kills doubts and cures doubters. J. C. Ayer Co., Lowell, Mass.

ITS EARLY PRESENCE CONCEALED WITH DISASTROUS RESULTS.

The Consequences of Official Careless ness and Neglect-Awful Scenes in the Pest-Stricken City.

Bombay Letter in New York Post. The plague began in Bombay early sedulously concealed. Neither police nor municipality thought fit to let it be known that the Great Death had entered the town Yet only by the spread of this knowledge could means be taken to prevent the growth

of the disease. No adequate means was taken. The plague was allowed to run its course from the beginning. It grew under official reticence as it flourished in the gloom of the tenements where it started. Dirt, darkness and concealment strengthened it. The native inhabitants personally provided the first, their houses the second, the municipality the third. But in September the disease progressed slowly. No alarm was felt. A few more deaths than usual were registered from

day to day. The plague took its own time rooting itself gradually but firmly, unimpeded by natives or Europeans. The for-The latter suspected the truth, but remained passive. No notice was issued to was a fearful task. Squalid lanes, bur-the tourists, who were even then begin- dened with filth; dark, ill-ventilated houses, ning to embark for their winter's holiday; plague patients from others. But further The natives grew anxious. They died myscreasing numbers. The news got abroad The reluctant municipality found it necesformally made that the bubonic plague to slip away. The daily trains leaving the city became somewhat crowded. Little was said, but the people feared. However, there was as yet no general appearance of terror. passing an ordinance limiting fares to 3 The October tourists arrived as usual. cents. As amended by the Council in 1870 | They made inquiries, but were all met by smiling hotel keepers with the same answer: "The Little Sickness? Ah, it is not important. A few cases, perhaps, among the natives. There is really no cause for apprehension." So the tourists filled the hotels and drove along the Esplanade, visiting the bazars, and taking their afternoon's outing on the Queen's road. Beside the Queen's road the burning ghats of Hindus were more steadily occupied than before; and here and there in the bazars : shop or two would have the snutters closed. The visitors did not notice eitner fact. The papers were still very quiet about the matter. Why frighten away trade? Keep still. That was the motto of the municipality and of the papers. It was now the last week of October.

The bazars were still full. The exodus of a few thousand made no appreciable difference in the appearance of a town of nearly a million. Fifteen deaths a day from plague were reported, twenty deaths, thirty

SUPERSTITION INVOLVED. Then happened the incident in connection with the Queen's statue. This statue, the pride of Bombay, was found one morning smeared with tar and decorated with necklace, especially insulting, of native slippers. The perpetrators of the act have never been discovered, but the excitement produced was intense and lasting. From this time on, the underlings of the native population, ignoring the deaths of the past, attributed those that occurred and were still to occur to the fateful wrath of the divinity armed with occult powers. Then finally, after weeks of inaction, in face of a danger recognized too late, came the demand for segregation. The demand was made by the papers, but, with one or two exceptions, it was made timidly. Would it not be better to segregate the plague-patients? asked the Anglo-Indian editors. This inquiry met with a howl of indignation on the part of the native papers and the native populace. Segregate the sick, intrude on domestic privacy, violate caste feeling? Infamous proposal! The proposal was dropped for the time, or only weakly renewed. So the plague increased. But now the tourists had caught alarm and were off at once. The landlords could not keep them by any soft persuasion. The Little Sickness got at last its true name. One spoke of it no longer, but whispered of the mahimari, the Great Death. The populace, fearing more the suggestion of segregation than the disease itself, departed in larger bodies. Every outgoing train was full. The coasting steamers carried sick and hale alike to other seaport towns, returning, as in the case of the infected third-class carriages on the trains, which no one thought 'was disinfecting, to pick up new crowds, and, with the germs of disease lodged in compartment and cabin, to make sick those that were well, and carry the plague again

set in. For now the credulous natives had conceived a new idea—an idea absurd, fan-

was that the Queen, in revenge for the insult offered to her statue, had demanded of Bombay. Who can say whence originated so silly a tale. But to these childish foolishness in it. It was dread reality. Hence, said they, this strange demand for segregation; hence the proposal that the sick should be taken to the hospital. Who that enters the hospital returns? The sick are butchered to avenge the Queen. So they fled. Whole families, men, women and children, taking their sick with them, crowded to the railway stations. Often the sick died upon the train; often, before the family reached the station. Then they were left in the street. NATIVE PREJUDICE.

Meantime stricter measures of relief had for indirectly also the suffering has been been taken. The natives were told peremptorily that all their sick must be carried to are closed to it. Merchants sit idle; methe hospital, that segregation would be en- chanics starve. Many are living on borforced by the police and by the military if rowed money, at 180 per cent. interest per necessary, and that every home must suffer annum. What poor man recovers his feet the visits of the newly-appointed vigilance committee. Not without a struggle were i fast? Most heavily does the loss of busithese things accomplished-a struggle that revealed to the depths how superficial is whose work in gold, silver and copper finds the civilization of the uneducated masses now no purchasers. The dealers in fancy of the country. Most prominent in all attempts to combat sanitary regulations were the Mussulmans. They met in a huge assembly to "discuss" segregation. After the plan and its necessity had been fully ex- to mouth, but it was their own hand. They plained to them, they gave their answer now live from the hand of charity or in unanimously: "Down with the hospital. We will not be segregated. Prayer is our This was the reply of the Mohammedans The Hindus, more timid, said nothing, but they ran away more than ever.

December came, and with the weather the plague assumed more formidthe Europeans applied themselves seriously to the work of cleansing the foul city. It saturated with drainage and continually damp-such were the resting and breeding places of the plague. The committee that heroically labored to cleanse these stables reported a curious fact. Bombay is well supplied with water, a tap in every house. This very abundance of fresh water was case, for the shiftless tenants found in many instances riod and never to have turned it off again. Day after day water continued to run or drip in the vile little dens of their nasty hovels, falling constantly on the mud floor, and breeding all the disease that dar and slime can engender. Many of rooms had no light at all. 'The committee's first task was to break a hole in the roof and admit the sun; then to solder the tap and prevent more water from running upor the reeking floor. All this was met with angry protests, but it was done. The tenants were ordered to go to the street for water. Their houses were dried. The committee made several frightful discoveries It was no uncommon thing to find a plagueeither, to find a dead body with a living patient beside it, both concealed in the same room, neither case having been reported to the police. Many of the houses were simple sinks of drainage, their floors ing the same habitation and the same hab- and paper-covered cartridges. its. As fast as possible these nurseries of the plague were cleansed. Wherever a ground-the ceath occurred, a red ring was painted on Greek cross. the front wall of the house. On some of these wretched tenements one saw four, other country in Europe, with the exception five, even seven or eight such rings; and of Sweden and Prussia the house was still inhabited.

GREAT MORTALITY. By the end of December more than third of the population was fled. The discase was now firmly established in half a dozen places in the north and several in the south. The upper towns of the Deccan became secondary plague centers. From Karachi the pestilence spread up through Sind. Here it assumed new violence. For in Bombay a patient might live two or three days, but when the plague first broke | knowledge, an aptitude for learning and agout in Karachi the sick man lived only three hours from the time the disease manifested itself. No dispersion abroad, howthere, and has continued to rage, with Kong, but carrying off natives of every

Something beastly about it makes the plague peculiarly loathsome. The suffering is great, though not more severe than in many other diseases. But its aspects are disgusting. It is a disease of pigs and rats. One saw the latter lying dead everywhere about the city, their entrails plucked out. picked to pieces by the ravenous crows, the scavengers of Bombay. And the people fell in the streets like the rats. So great was their aversion to the hospital that, when a poor wretch found on himself the sure sign he would wander up and down, secretive as an animal, till he suddenly dropped The chief sign of the ease is a swelling beneath the armpits. When this appears there is no more hope. Nor is it well to live, for the few that have survived became hopelessly paralytic. But the known instances of survival are confined to Europeans and Eurasians. In the case of natives death usually comes at the latest within a few days of the appearance of the first signs, headache, fever, vomiting, and glandular swellings. But the period of incubation may be much longer than this, for eleven days have been known to elapse between the time when one victim, a Parsee, left town to locate himself in a perfectly healthy environment and the time when the disease declared itself, after which the patient lived but three days. The new year began in mourning. The native town was like a vast cemetery The copper bazaar, the gay center of Hinds

THE PLAGUE IN BOMBAY higher stratum represented by the small throng, one cannot ordinarily drive at all dealers and the domestic servants. This without stopping every moment, one could now pass at a gallop from end to end, and never touch a living creature. Day and night the acrid smoke from the burning ghats floated across the city. Their fires never went out, yet there were more corpses than could be buried, waiting their slow turn. The Mohammedan graveyards, too, were full. There are a couple of them, one on the Queen's road, one on the Grant road, both in the heart of the city. Some day they may be instrumental in bringing a renewal of the plague upon Bombay. Even now the awakened municipaiity is trying to persuade the Mussul-mans to bury their dead out of town. This request is met with stern refusal.

PLAGUE STILL RAGES. But death is not the only ill of the plague, great. Trade has left the town; all ports ness weigh upon the artisans of the bazaars, the carvers of sandal wood, suffer most bitin the best seasons they lived from hand that of usury. The menial classes have left town to such an extent that necessary sanitary labor cannot be properly performed. Since the middle of December the domestic servants have been running away, frequently leaving their wages, and many families are wholly dependent on the services of coolies taken directly from infected districts. Most of the city sweepers and cleaners have fled also, and but few remain to do work so imperative for the preservation of the city from other forms of disease; though, as if all were left to the plague, other sicknesses than this are rare. the dead are hard to obtain, and funerals must often be delayed on this account. But such delay means risk of life to others. In the case of some of the religious bodies only a particular caste, few in number, may do this work, and in these circumstances it is occasionally impossible to find bearers to whom the corpse may be intrusted. Then sometimes fear descends suddenly upon the bearers, even as they walk with their burden of danger through the deserted streets, and they set down the body of him that has died of the plague and escape in haste, lest death come upon them from the dead distress that the plague has wrought in its

Information About Greece. New York Mail and Express.

culturists and shepherds.

It has a population of 2,187,208. It is called "Hellas" by its people The main temperature of Greece is 64 degrees Fahrenheit. No part of Greece is forty miles from the sea or ten miles from the hills.

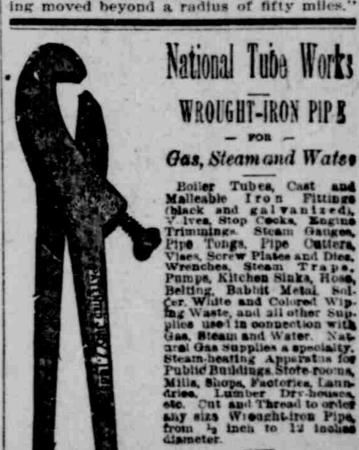
About one-half of the population are agri-

It has an area of 24,977 square miles. It is the only country in the world whose covered with refuse-animals and men hav- armies are provided with the Gras guns The Greek flag is a white cross on blue ground-the Bavarian colors and Greece is more thickly populated than any

> It has few rivers and many hills. None of the former is navigable, and many of the latter are fortified. Its present boundary limits were determined by an arrangement among Great Britain, France, Russia and Turkey, concluded at Constantinople on July 21, 1832. Only about 70,000 of the inhabitants speak any other language than Greek, and only

> about 20,000 profess any religion other than the orthodox. The chief characteristics of the average Greek are his inquisitiveness, fondness for excitement, love of discussion, desire for

gressive patriotism. -the heat in summer and the cold in winter ever, loosened its grip on Bombay. It raged other country in the world lying in the same latitude. Gell once remarked that in even new power, sparing not even the chil- traveling through the Morea in March he dren, as it did three years ago in Hong- found "summer in Messenia, spring in Laconia and winter in Arcadia, without hav-



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